March 29, 2019

The Honorable Phil Ting  
California State Assembly  
State Capitol, Room 6026  
Sacramento, CA 95814  
Via Email: Tara.Gamboa-Eastman@asm.ca.gov

Re: Support and Co-sponsor for AB 1486 (Ting)

Dear Assemblymember Ting:

On behalf of the San Diego Housing Federation, I am writing in support and to be included as co-sponsor of AB 1486, which will create more affordable homes for our communities by clarifying and strengthening key provisions of the Surplus Land Act. Founded in 1990, the San Diego Housing Federation (SDHF) serves as the collective voice of those who support, build and finance affordable homes in the San Diego region.

**Surplus Land Act: Turning unused public land into public good**

Redeveloping unused public land can create more affordable homes throughout the state and advance California’s environmental and economic goals by increasing affordable infill development near transit and jobs.

Enacted in 1968 and amended in 2014, the Surplus Land Act (Government Code § 54220 et seq.) requires all local agencies to prioritize affordable housing, as well as parks and open space, when disposing of surplus land by giving first right of refusal to organizations and agencies that agree to use sites for affordable housing or parks and open space.

While the 2014 amendments were a positive step forward, many local agencies have attempted to circumvent both the letter and the intent of the law. This has resulted in conflicts that have delayed the redevelopment of surplus sites and reduced the number of sites available to create affordable homes. Further complicating the issue is a dearth of information on existing publicly-owned sites for their present uses, and a lack of an agency to enforce the act.

**AB 1486 will further clarify and add critical provisions to the Surplus Land Act**

AB 1486 will improve enforcement of the Surplus Land Act so California can more efficiently transform unused public lands into public good by increasing affordable housing and open space. The bill includes important clarifications and critical fixes to strengthen the Surplus Land Act and expand the land that is available for affordable housing development through the following changes:
• Clarifies Critical Provisions of the Surplus Land Act
  o Clarifies the definition of “surplus” land and what it means to grant “priority” to affordable housing proposals, as well as adding many reasonable exemptions for what land qualifies as “surplus” to account for the many types of leases and sale of land that serve a legitimate public interest.
  o Clarifies that the existing 15% minimum affordability requirement applies whenever surplus land is used for residential development.

• Provides Data and Facilitates Enforcement of the Act
  o Requires HCD to develop a statewide public lands database using data from local agencies as well as empowering HCD to enforce the Surplus Land Act.

• Builds on the Governor’s Executive Order for State Involvement
  o Requires State agencies to prioritize and expedite the disposition of surplus land for affordable housing under the State Surplus Land Act by specifying a minimum percentage of surplus property to be released annually.

• Incentivizes Development of Affordable Housing on Public Land
  o Allows both affordable housing developments on surplus land and public agencies that dispose of it to receive more generous state affordable housing funding.

• Uses Housing Element Law to Leverage Surplus Land for Housing
  o Establishes a presumption in Housing Element law that allows for residential use on developable public land when all the units are affordable to lower-income households.

AB 1486 will free up tens of thousands of acres statewide to build more homes affordable to Californians.

AB 1486 is critical to ensure that the state’s existing Surplus Land Act can fulfill its intended goal to turn unused public land back into a community benefit and create more affordable homes for individuals and families in the San Diego region and across the state.

Thank you for your leadership in drafting this important legislation. We look forward to working with you to pass AB 1486.

Sincerely,

Stephen Russell
Executive Director

cc: Pedro Galvao, Senior Policy Manager, NPH (pedro@nonprofithousing.org)